

THE TWENTY-SEVENTH MEETING OF THE ONE HUNDRED AND TWENTY-FIFTH COUNCIL OF THE CORPORATION OF THE CITY OF ST. THOMAS

**COUNCIL CHAMBERS
CITY HALL**

JUNE 13TH, 2005

6:29 p.m. The meeting convened with His Worship, Mayor Jeff Kohler, presiding.

ATTENDANCE

Members

Mayor J. Kohler
Alderman B. Aarts
 C. Barwick
 H. Chapman
 T. Johnston
 T. Shackelton
 M. Turvey

Officials

W. Graves, City Clerk
W. Day, Director of Finance & City Treasurer
J. Dewancker, Director, Environmental Services
C. Hinatsu, Director Ontario Works
R. Barber, Fire Chief
M. Carroll, Valleyview Administrator

Absent

Alderman D. Warden

THE LORD'S PRAYER

CLOSED SESSION

The Closed Session was held in Committee Room #204 and the minutes are located at the end of Regular Open Council Business.

DISCLOSURES OF INTEREST

Alderman Johnston declared a conflict of interest regarding a proposed or pending acquisition or disposition of land by the municipality to be dealt with in closed session as he has a business relationship with the lawyer who is doing work relating to the matter. He refrained from all discussion and action regarding this matter.

MINUTES

Motion by Alderman Shackelton - Aarts:

THAT: The minutes of the meetings held on June 6th, 2005 be confirmed.

Carried.

DEPUTATIONS

Elgin County Railway Museum - "A Day Out With Thomas"

Mr. John W. Neal, Chair and Mr. Bill Watson, Coordinator, Thomas Task Force, were in attendance to discuss "A Day Out with Thomas".

Mr. Neal provided Council with an overview of the event and stated that 25,000 to 30,000 visitors were expected.

Mr. Neal stated that Thomas the Tank Engine only visits not for profit locations and that the City is fortunate to have the Elgin County Railway Museum facilities.

Mr. Neal stated that they hoped to bring Thomas the Tank Engine back again next year but he raised the concern of losing trackage.

At the end of the visit, a significant cheque would be left for the Elgin County Railway Museum.

Mr. Neal asked Council if the City would consider placing an ad in a special edition newspaper that the St. Thomas Times Journal is preparing and also if Council would support the event with a proclamation.

CITY CLERK _____ CONFIRMED _____ MAYOR _____

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Mayor Kohler responded that the City would review the advertising when it was approached by the St. Thomas Times Journal and further that Council would consider a proclamation but that Mr. Neal should provide a formal written request for a proclamation to the Clerk's office.

By-law 89-2004, A by-law to prohibit smoking in public places and workplaces

Ms. Brenda Langille was in attendance to discuss the by-law prohibiting smoking in public places and workplaces and presented her letter which in part stated her disapproval of discrimination against the Legion for not exempting it from By-law 89-2004.

The members took no action relating to Ms. Langille's request.

COMMITTEE OF THE WHOLE

Council resolved itself into Committee of the Whole.

PLANNING AND DEVELOPMENT COMMITTEE - Chairman H. Chapman

UNFINISHED BUSINESS

NEW BUSINESS

BUSINESS CONCLUDED

ENVIRONMENTAL SERVICES COMMITTEE - Chairman M. Turvey

UNFINISHED BUSINESS

NEW BUSINESS

BUSINESS CONCLUDED

PERSONNEL AND LABOUR RELATIONS COMMITTEE - Chairman D. Warden

UNFINISHED BUSINESS

NEW BUSINESS

BUSINESS CONCLUDED

FINANCE AND ADMINISTRATION COMMITTEE - Chairman C. Barwick

UNFINISHED BUSINESS

NEW BUSINESS

BUSINESS CONCLUDED

COMMUNITY AND SOCIAL SERVICES COMMITTEE - Chairman B. Aarts

UNFINISHED BUSINESS

Request for Staff - Child Care Supervisor

Douglas J. Tarry Sports Complex and Burwell Park

NEW BUSINESS

Valleyview Replacement-Monthly Report - Appendix "A"

The Valleyview Administrator provided Council with an overview of the project status including the fact that the project is on schedule and within budget. Further, the Valleyview Administrator stated that windows, brickwork and drywall were being installed and that the roofing was complete.

CITY CLERK_____CONFIRMED_____MAYOR

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Alderman Shackelton stated that he was surprised to see how close the building was to the road.

The Valleyview Administrator stated that the original site plan had not changed.

Motion by Alderman Shackelton - Barwick:

THAT: Report VV-007-05 of the Valleyview Administrator be received for information.

Carried.

BUSINESS CONCLUDED

PROTECTIVE SERVICES & TRANSPORTATION COMMITTEE - Chairman T. Shackelton

UNFINISHED BUSINESS

Speed Limits - Sandymount Hill Areas - Speed Zone

Burwell Road - Request for Stop Signs

NEW BUSINESS

BUSINESS CONCLUDED

REPORTS PENDING

AMENDMENT TO BY-LAW 44-2000(REGULATION OF WATER SUPPLY IN THE CITY OF ST. THOMAS) - MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF ST. THOMAS AND ST. THOMAS ENERGY INC. (PROVISION OF WATER METER READING/BILLING AND COLLECTION SERVICES) _____ - J. Dewancker

ESDA SERVICING MASTER PLAN AND CLASS ENVIRONMENTAL ASSESSMENT - J. Dewancker

ENVIRONMENTALLY SENSITIVE LAND USE - P. Keenan

SAFETY ISSUES AND INTERSECTION CONCERNS - Supervisor Roads & Transportation

DRIVEWAY RECONSTRUCTION – MAPLE STREET - J. Dewancker

REVIEW OF CITY BUS ROUTES - J. Dewancker

COUNCIL

Council reconvened into regular session.

REPORT OF COMMITTEE OF THE WHOLE

Planning and Development Committee - Chairman H. Chapman

Environmental Services Committee - Chairman M. Turvey

Personnel and Labour Relations Committee - Chairman D. Warden

Finance and Administration Committee - Chairman C. Barwick

Community and Social Services Committee - Chairman B. Aarts

Protective Services and Transportation Committee - Chairman T. Shackelton

Motion by Alderman Aarts - Johnston:

CITY CLERK _____ CONFIRMED _____ MAYOR

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THAT: The recommendations, directions and actions of Council in Committee of the Whole as recorded in the minutes of this date be confirmed, ratified and adopted.

Carried.

REPORTS OF COMMITTEES

The Fifth Report of the Site Plan Control Committee - Appendix "B"

Motion by Alderman Chapman - Turvey:

THAT: Clauses 1 and 2 of the Fifth Report of the Site Plan Control Committee be adopted.

Carried.

PETITIONS AND COMMUNICATIONS

The Home Fire Sprinkler Act, 2004 - Bill 141 - Private Member's Bill

A letter was received from Linda Jeffery, M.P.P., Brampton Centre, requesting support for Bill 141.

The members took no action regarding this matter.

UNFINISHED BUSINESS

Addition of Council (Alderman) Position

A by-law to consider an addition of a council position to be considered at the June 20th, 2005 meeting.

NEW BUSINESS

Councillor Title

Alderman Chapman had previously put forward the following Notice of Motion.

Motion by Alderman Chapman:

THAT: The title "Alderman" be changed to "Councillor" for the Corporation of the City of St. Thomas.

Prior to the main motion being dealt with, a motion to postpone was brought forward.

Motion by Alderman Johnston - Barwick:

THAT: The Notice of Motion be postponed, relating to the Councillor Title from Alderman to Councillor.

Carried.

St. Thomas Seniors' Centre - Repair & Maintenance to Operable Walls

Alderman Shackelton stated that he found it hard to believe that this request was a capital item and that in the future he hoped it could be identified at budget time.

Mayor Kohler stated that the agreement with the St. Thomas Seniors' Centre needed to be reviewed.

Alderman Aarts stated that direction should be given to the Director of Finance & City Treasurer to review the agreement.

CITY CLERK_____CONFIRMED_____MAYOR

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Alderman Barwick concurred with the direction and stated that it is important that members from the St. Thomas Seniors' Centre participate in the review of the agreement.

The Director of Finance & City Treasurer stated that there were three financial areas currently identified in the agreement including major capital, major alterations and additions to the exterior. Further, the Director of Finance & City Treasurer stated that there was a need to develop a five-year capital plan for the St. Thomas Seniors' Centre.

Mayor Kohler stated that the Director of Finance & City Treasurer has been asked to prepare a chronology of facts relating to this request coming before Council.

Council concurred with the direction for the review of the agreement to take place.

Motion by Alderman Aarts - Turvey:

THAT: Council authorize and pay for the repair of the one door at the Seniors' Centre, at a cost of \$5,362.00.

Carried.

Port Stanley Terminal Rail - Talbot Sub

Alderman Turvey raised the issue of the importance of the connection of the Talbot Sub to the Cayuga Sub and recommended to Council that it provide a letter of support.

Motion by Alderman Turvey - Barwick:

THAT: Council authorize a letter to be sent by the Mayor, to the Canadian Transportation Agency to support the Port Stanley Terminal Railway in the connection of the Talbot Sub to the Cayuga Sub, CN Line moving E/W at the north end of the City.

Carried.

BY-LAWS

Motion by Alderman Shackelton - Turvey:

THAT: Leave be granted to bring in the following by-laws:

1. A by-law to confirm the proceedings of the Council meeting held on the 13th day of June, 2005.
2. A by-law to provide for Municipal Housing Facilities.
3. A by-law to authorize the Mayor and Clerk to execute and affix the Seal of the Corporation to a certain agreement between the Corporation of the City of St. Thomas and Joe Ostojic & Son Ltd. and Doug Tarry Limited. (File #34T-04510 - 20 lots for single detached dwelling units & 14 lots for semi-detached dwellings-28 dwelling units)
4. A by-law to authorize the Mayor and Clerk to execute and affix the Seal of the Corporation to a certain agreement between the Corporation of the City of St. Thomas and Dalewood Glen Ltd. (Dalewood Glen Development - File #34CDM-04505 - 6 attached dwelling units - final phase of development)
5. A by-law to amend By-Law 50-88, being the Zoning By-Law for the City of St. Thomas. (Removal of holding zone provision – Blocks 22-27 and Block 29, Registered Plan 11M-110 and Part of Block 35, Registered Plan 11M-113)

CITY CLERK_____CONFIRMED_____MAYOR

6. A by-law to authorize the Mayor and Clerk to execute and affix the Seal of the Corporation to a certain agreement between the Corporation of the City of St. Thomas, the Board of Health of the Elgin-St. Thomas Health Unit, the Corporation of the Town of Aylmer, and Pestalto Environmental Products Inc. (West Nile Virus Mosquito Larvaciding Program)

Carried.

First and Second Readings

Motion by Alderman Shackelton - Turvey:

THAT: The by-laws be now read a first time, referred to Council in Committee of the Whole and read a second time.

Carried.

Alderman Chapman was appointed Chairman of Council in Committee of the Whole and conducted the second reading of the by-laws.

On motion duly moved and seconded, the Chairman was ordered to report on the passing of the by-laws. The Chairman reported as ordered and the Mayor resumed the Chair.

Third Reading

Motion by Alderman Shackelton - Turvey:

THAT: The report of Council in Committee of the Whole on the following by-laws be received and adopted, the same be read a third time, engrossed, signed by the Mayor and Clerk, sealed and numbered.

1. A by-law to confirm the proceedings of the Council meeting held on the 13th day of June, 2005. (B/L 79-2005)

2. A by-law to provide for Municipal Housing Facilities. (B/L 80-2005)

3. A by-law to authorize the Mayor and Clerk to execute and affix the Seal of the Corporation to a certain agreement between the Corporation of the City of St. Thomas and Joe Ostojic & Son Ltd. and Doug Tarry Limited. (File #34T-04510 - 20 lots for single detached dwelling units & 14 lots for semi-detached dwellings-28 dwelling units) (B/L 81-2005) (A/G 25-2005)

4. A by-law to authorize the Mayor and Clerk to execute and affix the Seal of the Corporation to a certain agreement between the Corporation of the City of St. Thomas and Dalewood Glen Ltd. (Dalewood Glen Development - File #34CDM-04505 - 6 attached dwelling units - final phase of development) (B/L 82-2005) (A/G 26-2005)

5. A by-law to amend By-Law 50-88, being the Zoning By-Law for the City of St. Thomas. (Removal of holding zone provision – Blocks 22-27 and Block 29, Registered Plan 11M-110 and Part of Block 35, Registered Plan 11M-113) (B/L 83-2005)

6. A by-law to authorize the Mayor and Clerk to execute and affix the Seal of the Corporation to a certain agreement between the Corporation of the City of St. Thomas, the Board of Health of the Elgin-St. Thomas Health Unit, the Corporation of the Town of Aylmer, and Pestalto Environmental Products Inc. (West Nile Virus Mosquito Larvaciding Program) (B/L 84-2005) (A/G 27-2005)

Carried.

PUBLIC NOTICE

NOTICES OF MOTION

CLOSED SESSION

Motion by Alderman Turvey - Aarts:

THAT: This meeting be closed to deal with a proposed or pending acquisition or disposition of land by the municipality at 6:29 p.m.

Carried.

OPEN SESSION

Motion by Alderman Chapman - Aarts:

THAT: We do now rise from Closed Session 6:49 P.M.

Carried.

ADJOURNMENT

Motion by Alderman Johnston - Turvey:

THAT: We do now adjourn. (7:43 P.M.)

Carried.